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PATENT APPLICATION

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on  
11/16/02  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
: Examiner: L. Wong  
PONAKALA ET. AL. )  
: Group Art Unit: 1761  
CPA of Application No.: 09/465,402 )  
:  
Filed: December 17, 1999 )  
:  
For: N-[N-(3,3-DIMETHYLBUTYL)-1- $\alpha$ - )  
ASPARTYL]-L-PHENYLALANINE 1- )  
METHYL ESTER AS A SWEETENER IN )  
CHEWING GUM )

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NOV 13 2002

TC 1700

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**OFFICIAL ACTION RESPONSE AND PETITION FOR EXTENSION OF TIME**

This paper is presented in response to the official action of June 19, 2002 in the above-referenced application.

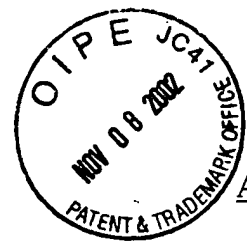
Please amend the application as follows:

✓  
Cancel Claims 1-18 and 26-53.

Amend Claims 19-25 as follows:

Amended Claims—Clean Version

19. (Amended) A chewing gum composition comprising N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester in an amount effective to sweeten said chewing gum composition, wherein between 6 and 10 minutes of chewing time, the average sweetness intensity loss rate is less than 0.3 intensity units per minute.



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Amended Claims—Marked Up Version

19. (Amended) A [The] chewing gum composition [according to claim 1] comprising N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester in an amount effective to sweeten said chewing gum composition, wherein between 6 and 10 minutes of chewing time, the average sweetness intensity loss rate is less than 0.3 intensity units per minute.

20. (Amended) The chewing gum composition of Claim 19 [according to claim 1] wherein the average sweetness intensity loss rate is less than 0.15 intensity units per minute.

21. (Amended) A [The] chewing gum composition [according to claim 1] comprising N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester in an amount effective to sweeten said chewing gum composition, wherein a flavor is present in an amount effective to produce a full-flavored chewing gum composition and wherein between 4 and 20 minutes chewing time, the average flavor intensity loss rate is less than 0.1 intensity units per minute.

22. (Amended) The chewing gum composition of Claim 21 [according to claim 1] wherein an amount of flavor is used which is at least 50% less than the amount of flavor in a full-flavored chewing gum composition, whereby a level of flavor intensity comparable to a full-flavored chewing gum composition is maintained.

23. (Amended) A [The] chewing gum composition [according to claim 1] comprising N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester in an amount effective to sweeten said chewing gum composition, said composition further comprising a rapid release sweetener.

24. The chewing gum composition according to Claim 23, wherein the rapid release sweetener has a sweetness intensity maximum within the first 2 minutes of chewing.

25. The chewing gum composition according to Claim 23, wherein the rapid release sweetener is selected from the group consisting of sucrose, mannitol, fructose, high fructose corn syrup, sorbitol, dextrose, corn syrup solids, hydrogenated starch hydrolysates, invert sugar, fructose, xylitol, and combinations thereof.